

In the United States Court of Federal Claims
OFFICE OF SPECIAL MASTERS
No. 24-1233V
UNPUBLISHED

TYKHON BENDERSKYI,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: August 15, 2024

ORDER CONCLUDING PROCEEDINGS¹

On August 9, 2024, Tykhon Benderskyi filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. § 300aa—10 through 34.² Petitioner alleged that he suffered an adverse reaction to a meningococcal vaccination that he received on August 12, 2021. ECF No. 1 at 1. In informal communications with Petitioner's counsel, Petitioner acknowledged that this case was a duplicate of another case (no. 24-1220V) and intends to proceed with that case. On August 13, 2024, Petitioner submitted a notice of voluntary dismissal.

In light of Petitioner's "notice of dismissal at any time before service of respondent's report" pursuant to Vaccine Rule 21(a), **this case is dismissed without prejudice.** Accordingly, **this Order hereby notifies the Clerk of Court that proceedings "on the merits" of this petition are now concluded, but no judgment "on the merits" should be entered by the Clerk's Office.**

IT IS SO ORDERED.

s/Brian H. Corcoran

Brian H. Corcoran
Chief Special Master

¹ Because this Order contains a reasoned explanation for the action taken in this case, it must be made publicly accessible and will be posted on the United States Court of Federal Claims' website, and/or at <https://www.govinfo.gov/app/collection/uscourts/national/cofc>, in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2018) (Federal Management and Promotion of Electronic Government Services). **This means the Order will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755.